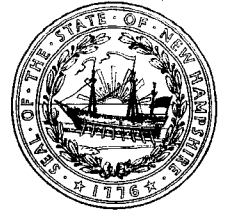




The State of New Hampshire
Department of Environmental Services

Michael P. Nolin
Commissioner



February 17, 2006

CERTIFIED MAIL
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RETURN RECEIPT REQUESTED

LETTER OF DEFICIENCY
No. WMD 06-002

Nashua Corporation
59 Daniel Webster Highway
Merrimack, NH 03054-4811

Attn: Donna Digiovini, Divisional President

Re: Nashua Corporation
Merrimack, New Hampshire
EPA ID No. NHD000769869

Dear Ms. Digiovini:

On December 14, 2005, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Nashua Corporation ("Nashua") in Merrimack, New Hampshire. The purpose of the inspection was to determine Nashua's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, the following deficiencies in Nashua's hazardous waste management program were documented:

1. Env-Wm 507.01(a)(3) – Storage Requirements – Open Container

At the time of the inspection, one (1) hazardous waste container located in color room #4 was not closed. See the attached Container Inventory ("Inventory").

Env-Wm 507.01(a)(3) requires generators to ensure that containers storing hazardous waste be closed at all times, except when waste is being added to or removed from the containers.

DES requested that Nashua ensure that containers storing hazardous waste remain closed at all times, except when adding waste to or removing waste from the containers.

In an email received on December 21, 2005 from Nashua, Raymond Pieczarka, Facilities Manager, stated that the funnel for the satellite container has been replaced with a new latching funnel. No further action is required.

2. Env-Wm 509.02(a)(1) - Inspection Requirements

A review of Nashua's Hazardous Waste Inspection Checklist ("Checklist") revealed that the Checklist did not include a notation for observing leaks.

Env-Wm 509.02(a)(1), which references 40 CFR 265.15, General Inspection Requirements, requires full quantity generators to conduct and document inspections of the facility, including the hazardous waste storage area(s). Per 40 CFR 265.15(d), the inspection records must include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions taken.

DES requested that Nashua amend the existing Checklist to include a notation for observing leaks.

In an email received on December 16, 2005 from Nashua, Raymond Pieczarka stated that the Checklist had been updated to include a notation for observing deterioration due to corrosion or other factors. No further action is required.

3. Env-Wm 509.02(a)(2) and Env-Wm 509.03(b) – Personnel Training

A review of Nashua's personnel training program revealed the following deficiencies:

- (a) The Alternate Emergency Coordinators identified below had not received initial hazardous waste training and/or taken part in annual reviews for the years noted:
 - 1. Richard Cardin – 2002, 2003, 2004, and 2005;
 - 2. Glenn Clark – 2002, 2003, 2004, and 2005.
- (b) The training records also failed to document a training program which includes a list of hazardous waste job titles, job descriptions, and names of employees filling each position.
- (c) Nashua did not provide refresher hazardous waste training to the following satellite operators:
 - 1. Steven Theriault- 2004;
 - 2. Don Tyler- 2005;
 - 3. Les Gove- 2005; and
 - 4. Andrea Richardson-2004.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that initial training and annual reviews are conducted for personnel handling hazardous waste, and requires full quantity generators to maintain specific documents and records related to personnel training. 40 CFR 265.16(b) also requires facility personnel to complete the program of training within six months of employment or assignment to a new position.

Env-Wm 509.03(b), which references Env-Wm 509.02(a)(2) and 40 CFR 265.16, Personnel Training, requires full quantity generators to ensure that employees responsible for the management of hazardous waste satellite containers receive hazardous waste training. The hazardous waste training interval shall be every 3-years after the date of initial training.

DES requests that Nashua conduct and document hazardous waste training and annual reviews for all employees who have hazardous waste responsibilities and ensure that training is completed within six months of employment or assignment to a new position.

DES also requests that Nashua maintain a written personnel training program which provides a description of the type and amount of introductory and continuing training that is given to persons filling each hazardous waste related position, and documentation of hazardous waste job titles, job descriptions, and names of employees filling each position.

DES also requested that Nashua conduct and document hazardous waste training and 3-year reviews for all employees responsible for the management of hazardous waste satellite containers.

In an e-mail received on December 14, 2005 from Nashua, Ray Pieczarka removed Glenn Clark as an emergency coordinator from Nashua's emergency posting.

4. Env-Wm 509.02(a)(5) – Contingency Plan

A review of Nashua's contingency plan revealed deficiencies regarding the following:

- (a) The designation of one person as the primary emergency coordinator;
- (b) The methods for monitoring facility equipment if there is a work stoppage;
- (c) Instructions to ensure that a waste which is incompatible with the released material is not treated, stored or disposed of until cleanup procedures are completed;
- (d) Procedures for providing that all equipment has been cleaned and is fit for use before the resumption of operations;
- (e) Instructions to notify local authorities that the facility is in compliance with 40 CFR 265.56(h)(1) & (2) before resumption of activities; and
- (f) Copies of the plan had not been submitted to the local authorities (police, fire, hospitals, contractors, and state and local emergency response teams).

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requests that Nashua revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module and submit a copy of the plan to the local authorities, as well as to DES.

5. Env-Wm 509.02(b) – Emergency Posting

At the time of the inspection, the emergency posting at the nearest telephone to the main hazardous waste storage area failed to document an accurate list of emergency coordinators as well as the location of fire extinguishers, spill control material, and alarms.

Env-Wm 509.02(b) requires that full quantity generators post a list of the steps to take if an emergency occurs and the following emergency numbers and information at the nearest telephone to the hazardous waste storage area:

- (a) The emergency coordinators (home and office);
- (b) The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and
- (c) The location of fire extinguishers and spill control material, and if present, fire and internal emergency alarms.

DES requested that Nashua post the required information at the nearest telephone to each hazardous waste storage area.

In the email received on December 16, 2005 from Nashua, Raymond Pieczarka stated that the emergency posting had been updated and posted. No further action is required.

6. Env-Wm 807.06(b)(7) – Standards for Generators of Used Oil

At the time of the inspection, Nashua had not completed a used oil determination for its used oil that was being managed as a “used oil for recycle.”

Env-Wm 807.06(b)(7) requires generators to conduct an initial used oil determination by analyzing it for all of the parameters specified in Env-Wm 807.02 and Env-Wm 807.03 (exclusive of PCB’s if no source of PCB’s is present).

DES requests that Nashua conduct an initial used oil determination for the parameters outlined in Env-Wm 807.02 and Env-Wm 807.03; and provide the results of the used oil determination to DES.

7. Env-Wm 1102.03, and Env-Wm 1111.04 - Universal Waste Management, Labeling Requirement

At the time of the inspection, one (1) container of universal waste mercury containing devices was not marked with the words “Universal Waste - Mercury-Containing Device(s),” “Waste Mercury-Containing Device(s),” or “Used Mercury-Containing Device(s).” See the attached Inventory.

Env-Wm 1102.03 which references Env-Wm 1111.04, requires universal waste handlers of mercury containing devices to ensure each universal waste mercury containing device or container(s) holding universal waste mercury containing devices is clearly labeled or marked with any of the following: "Universal Waste - Mercury-Containing Device(s)," "Waste Mercury-Containing Device(s)," or "Used Mercury-Containing Device(s)."

DES requested that Nashua clearly label or mark universal waste mercury containing devices and container(s) holding universal waste mercury containing devices with any of the following: "Universal Waste - Mercury-Containing Device(s)," "Waste Mercury-Containing Device(s)," or "Used Mercury-Containing Device(s)."

In the email received on December 16, 2005 from Nashua, Raymond Pieczarka stated that the container of universal waste mercury containing devices has been labeled. No further action is required.

8. Env-Wm 1102.03 and Env-Wm 1112.04 - Universal Waste Lamp Management

At the time of the inspection, thirty-four (34) containers of universal waste lamps were not marked with the words "Universal Waste – Lamps," "Waste Lamp(s)," or "Used Lamp(s)." See the attached Inventory.

Env-Wm 1112.04 requires handlers of universal waste lamps to ensure each universal waste lamp or container(s) holding universal waste lamps to be clearly labeled or marked with any of the following: "Universal Waste – Lamps," "Waste Lamp(s)," or "Used Lamp(s)."

DES requested that Nashua clearly label or mark universal waste lamps and container(s) holding universal waste lamps with any of the following: "Universal Waste – Lamps," "Waste Lamp(s)," or "Used Lamp(s)."

In the email received on December 16, 2005 from Nashua, Raymond Pieczarka stated that the universal waste lamp containers are now labeled. No further action is required.

9. Env-Wm 1102.03(c)(1) – Universal Waste Management

At the time of the inspection, sixteen (16) containers of universal waste lamps and one (1) container of universal waste mercury containing devices were not closed. See the attached Inventory.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested Nashua to ensure that all containers of universal wastes are closed, except when universal waste is being added to or removed from the container.

In the email received on December 16, 2005 from Nashua, Raymond Pieczarka stated that the containers of universal wastes have been closed. No further action is required.

The December 14, 2005 inspection revealed that Nashua generates contaminated cloth wipers from maintenance cleaning operations. According to Raymond Pieczarka, the wipers are collected for laundering by an outside contractor (Alltex). Inspectors observed Nashua's storage of contaminated wipers in the Boiler Room, Maintenance Area, and Color Room #4. At the time of the inspection, the collection containers in the Boiler Room, Maintenance Area, and Color Room #4 were not marked with the words "Contaminated Wipers for Laundering." Also, one container of contaminated wipers in the Maintenance Area was open. Inspectors advised Mr. Pieczarka that contaminated wipers, generated at the facility, are subject to the DES Environmental Fact Sheet #WMD-HW-6, "Contaminated Cloth Wipers for Laundering" (See enclosed). DES requested that Nashua comply with the fact sheet by ensuring that containers of contaminated cloth wipers are properly marked and remain closed.

In the email received on December 21, 2005 from Nashua, Raymond Pieczarka stated that all collection containers for the contaminated wipers have been labeled. No further action is required.

DES believes the remaining portion of the cited deficiencies can be corrected and a report describing the corrective measures taken by Nashua can be submitted within thirty (30) days of receipt of this letter. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Nashua including issuing an order requiring that the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may re-inspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may be pursued for any or all violations observed during this or subsequent inspections of the facility.

The written report as requested above should be addressed as follows:

Tammy Calligandes, Waste Management Specialist
DES/WMD
P.O. Box 95
Concord, NH 03302-0095

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This report may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution

prevention options are considered first, followed by recycling, treatment, and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline, which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at (1-866) HAZ-WAST (in-state only) or (603) 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Tammy Calligandes, or Tod Leedberg, RCRA Compliance Supervisor at 271-2942. Thank you for your cooperation.

Sincerely,



John J. Duclos, Administrator
Hazardous Waste Compliance Bureau
Waste Management Division

cc: DB/RCRA/LOD/Archives
Gretchen Hamel, Administrator, DES Legal Unit
Anthony P. Giunta, P.G., Director, WMD/ Paul L. Heritzler, P.G., Esq., Administrator, WMD
Ed Sylofski, Vice President, Nashua Corporation
David Peters, Director of Quality Assurance, Nashua Corporation
Raymond Pieczarka, Nashua Corporation

cc: John Duclos, Administrator, HWCB
Stephanie D'Agostino, DES Pollution Prevention Coordinator

Enclosure: Hazardous Waste Generator Inspection Report
Wiper Fact Sheet